

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL A. JACKSON,

Plaintiff,

v.

TAYLOR YOUNG *et al.*,

Defendants.

Case No. C07-5480RBL/JKA

ORDER FOR ADDITIONAL  
BRIEFING

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is plaintiff's motion asking for a Fed. R. Civ. P. 35 mental health examination. Defendants correctly note that plaintiff appears to misunderstand the nature of Fed. R. Civ. P. 35. This rule is not normally used unless the party that is to be examined objects to the examination. The court has questions regarding plaintiff's ability to contest the finding made by defendants that he is mentally ill.

The court orders defendants to file additional briefing explaining the process used in finding plaintiff mentally ill. This briefing should include an explanation of what rights plaintiff has to object to or contest to his diagnosis.

1 The additional briefing will be due on or before **March 21, 2008**. After receiving this briefing the  
2 court will decide on whether or not to appoint plaintiff an independent mental health expert.

3 The Clerk is directed to send a copy of this Order to plaintiff and reote Dkt. # 47 for **March 21,**  
4 **2008.**

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6 DATED this 22 day of February, 2008.

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8 /S/ J. Kelley Arnold  
9 J. Kelley Arnold  
United States Magistrate Judge  
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